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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORP.

and

ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-2880-JSC

**[PROPOSED] ORDER GRANTING
PLAINTIFF FEDERAL TRADE
COMMISSION'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

Dept.: Courtroom 8

Judge: Honorable Jacqueline Scott Corley

[PROPOSED] ORDER ON PLAINTIFF FEDERAL TRADE COMMISSION'S ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED
CASE No. 3:23-cv-2880-JSC

Plaintiff Federal Trade Commission (“FTC”) has filed an Administrative Motion to File to Consider Whether Another Party’s Material Should Be Sealed (“FTC’s Administrative Motion”) in connection with Plaintiff’s Final Proposed Findings of Fact and Conclusions of Law (Dkt. No. ____). The FTC, in accordance with Local Rule 79-5(c)(3), identified “in table format each document or portion thereof that is sought to be sealed,” namely:

Paragraph	Beginning Page	Line(s)	Party
¶x	2	12-14	Sony
¶xii	2	23-24	Sony
¶xix	3	15-18	Defendants
¶xvii	3	8-10	Defendants
¶xviii	3	12-13	Defendants
¶xxi	3	24	Defendants
¶xxvii	4	15-20	Defendants Sony
¶xxix	5	3-6	Defendants
¶xxxi	5	12-14	Defendants
¶xxix	5	7	Nvidia
¶xxxvi	6	3-9	Defendants
¶xliv	8	22-25	Defendants Sony
¶xlvi	9	15-20	Defendants
¶lv	12	23-25	Sony
¶lv	12	23-25	Sony
¶liv	12	13-14	Defendants
¶lv	12	12:28-13:4	Defendants
¶lvii	14	1-3	Defendants
¶lviii	14	1-2, 2, 3, 10	Defendants
¶9	15	27	Defendants
¶49	20	20-21, 22-24	Defendants

Paragraph	Beginning Page	Line(s)	Party
¶52	21	8-9	Defendants
¶58	22	4-6	Defendants
¶60	22	12-14	Nintendo
¶61	22	17-18	Nintendo
¶62	22	19-20	Nintendo
¶63	22	22-23	Nintendo
¶66	23	4-5	Nintendo
¶74	24	14-16	Defendants Nintendo
¶76	24	24-25	Nintendo
¶81	25	25:28-26:3	Defendants
¶82	26	4-5	Nintendo
¶83	26	15-19	Defendants
¶84	26	20-22	Nintendo
¶85	26	24-25	Nintendo
¶86	27	2	Defendants
¶89	27	9-13	Sony
¶90	27	17-18	Nintendo
¶92	27	23-24	Nintendo
¶93	27	25-26	Nintendo
¶95	28	6-8	Nintendo
¶103	29	14-16	Sony
¶104	29	17-20	Sony
¶105	29	23-25	Defendants
¶107	30	2-5	Defendants
¶108	30	6-8	Defendants
¶110	30	14-16	Sony
¶111	30	18, 19, 20	Defendants
¶114	31	5	Defendants

[PROPOSED] ORDER ON PLAINTIFF FEDERAL TRADE COMMISSION’S ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY’S MATERIAL SHOULD BE SEALED
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Paragraph	Beginning Page	Line(s)	Party
¶116	31	10-11	Defendants
¶132	33	20	Defendants
¶135	33	26-28	Defendants
¶141	34	26-27	Sony
¶154	36	23-24	Defendants
¶155	36	26	Defendants
¶156	37	3-5	Defendants
¶165	38	14-15	Defendants
¶170	39	10-11	Sony
¶171	39	15-20	Sony
¶173	40	2-5	Nvidia
¶182	41	24-25	Defendants
¶183	42	2-4	Defendants
¶185	42	8-10	Defendants
¶186	42	15-17	Defendants
¶189	43	4-6	Defendants
¶190	43	7-8	Defendants
¶191	43	10-12, 13-15	Defendants
¶192	43	16-21	Defendants
¶193	43	22-24	Defendants
¶194	43	43:27-44:1	Defendants
¶195	44	5-8	Defendants
¶196	44	10-12	Defendants
¶200	45	5-6	Defendants
¶201	45	11-16	Defendants
¶206	46	9-10, 10-11	Defendants
¶207	46	12-13	Defendants
¶210	46	17-20	Defendants
¶211	46	21-23	Defendants

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Paragraph	Beginning Page	Line(s)	Party
¶212	46	24-26	Defendants
¶213	46	46:27-47:3	Defendants
¶215	47	10-14	Defendants
¶223	48	25	Defendants
¶223	48	48:26-49:1	Sony
¶224	49	6-7	Defendants
¶225	49	11-12	Defendants
¶226	49	14-16	Defendants
¶227	49	18-20	Sony
¶228	49	23-25	Sony
¶232	50	19-20, 21-24	Defendants
¶234	51	1-2	Defendants
¶235	51	3-4	Defendants
¶236	51	5-11	Defendants
¶237	51	12-15	Defendants
¶238	51	19-26	Sony
¶239	51	51:27-52:2	Defendants
¶241	52	7-8	Defendants
¶246	52	21-24	Defendants
¶247	53	1-7	Defendants
¶248	53	12-13	Defendants
¶249	53	22-23	Defendants
¶251	54	4-5	Defendants
¶257	54	54:27-55:1	Defendants
¶257	55	7-8	Defendants
¶258	55	12-13	Defendants
¶259	55	18-20	Defendants
¶263	56	12-16	Sony
¶264	56	19-21	Nvidia

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Paragraph	Beginning Page	Line(s)	Party
¶265	56	22	Defendants
¶272	57	15-16	Sony
¶273	57	18-19	Sony
¶274	57	21-22	Sony
¶275	57	23	Sony
¶277	58	2	Sony
¶283	59	6-7, 8-9	Defendants
¶284	59	11-13	Defendants
¶286	59	21-23	Defendants
¶287	59	24-25	Defendants
¶288	60	3-6	Sony
¶292	60	60:28-61:3	Defendants
¶295	61	17-18, 20-23	Nintendo
¶298	62	4-7	Defendants
¶301	62	18-20	Defendants
¶304	63	8-11	Nintendo
¶304	63	8-11	Sony
¶306	63	18-21	Sony
¶308	64	4-6	Nintendo
¶308	64	7	Defendants
¶309	64	10-16	Nintendo
¶309	64	10-13, 17-20	Sony
¶310	64	21-23	Sony
¶312	65	1-4	Nintendo
¶313	65	6-9	Sony
¶314	65	11-15	Defendants
¶315	65	19-22	Nintendo
¶326	67	19-21	Defendants
¶328	67	24-26	Defendants

[PROPOSED] ORDER ON PLAINTIFF FEDERAL TRADE COMMISSION’S ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY’S MATERIAL SHOULD BE SEALED
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Paragraph	Beginning Page	Line(s)	Party
			Sony Nintendo
¶329	68	1-3	Defendants Sony Nintendo
¶330	68	5	Valve
¶331	68	7-8	Nintendo
¶336	69	17-22	Defendants
¶337	69	24-26	Defendants
¶339	70	6-9	Defendants
¶340	70	11-13	Defendants
¶342	70	19-22	Defendants
¶345	71	10-13	Sony
¶346	71	14-17	Sony
¶347	71	18-24	Defendants
¶348	72	2-4	Defendants
¶350	72	11-16	Defendants
¶351	72	17-21	Defendants
¶364	75	1-3	Defendants
¶365	75	8-10	Defendants
¶367	75	15-18	Defendants
¶368	75	19-22	Nvidia
¶370	75	75:26-76:4	Amazon
¶379	77	11-13	Defendants
¶383	77	27	Defendants
¶384	78	1-2	Defendants
¶390	79	4, 4	Defendants
¶391	79	7-9	Defendants
¶392	79	10-16	Defendants

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Paragraph	Beginning Page	Line(s)	Party
¶393	79	18-21	Defendants
¶401	81	21-24	Defendants
¶408	82	24-25	Defendants
¶423	85	13-15, 16-17	Defendants
¶424	85	20-21	Defendants
¶427	86	4-5	Defendants
¶433	86	23-24	Defendants
¶438	87	14-17	Sony
¶439	87	18	Sony
¶440	87	20-21	Sony
¶441	87	25	Sony
¶443	88	4-7, 8-12	Defendants
¶444	88	13-15	Defendants
¶445	88	17-19	Defendants
¶446	88	22-23	Defendants
¶447	88	88:26-89:4	Defendants
¶448	89	5-8	Defendants
¶449	89	10-13	Defendants Sony
¶450	89	21-24	Defendants
¶451	89	25-27	Defendants
¶452	90	1-4, 7-8	Defendants
¶454	90	13	Sony
¶456	90	23-24	Defendants
¶456	90	27-28	Defendants
¶456	91	2	Defendants
¶456	91	5-6	Defendants
¶461	92	2-5	Nintendo
¶466	93	4-7, 9-10	Defendants

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Paragraph	Beginning Page	Line(s)	Party
¶467	93	11-12	Defendants
¶468	93	13, 14	Defendants
¶469	93	15-16	Defendants
¶476	95	4-8	Sony
¶480	95	22-26	Sony
¶482	96	5-8, 9, 10-11	Defendants
¶483	96	15-20	Defendants
¶484	96	22-23. 24-27	Defendants
¶485	97	3, 5-6	Defendants
¶486	97	7-10	Defendants
¶487	97	14-16, 17, 18-19	Defendants
¶488	97	20-24	Defendants
¶489	97	97:28-98:2	Defendants
¶489	98	3-6	Defendants
¶490	98	10-13	Defendants
¶491	98	14-19	Defendants
¶492	98	22-25	Defendants
¶493	98	98:26-99:4	Defendants
¶498	100	19-20	Defendants
¶499	101	4-6	Defendants
¶500	101	17-18, 18-20, 21-22, 25-27	Defendants
¶501	102	1	Defendants
¶508	103	9-15	Defendants
¶509	103	16-22	Defendants
¶510	103	25-27	Defendants
¶511	104	1-7	Defendants
¶513	104	13-15	Defendants
¶514	104	17-23	Defendants

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Paragraph	Beginning Page	Line(s)	Party
¶515	104	24-26	Defendants
¶516	105	1-4	Defendants
¶520	105	24	Defendants
¶523	106	13-17, 23-24	Defendants
¶524	106	26-28	Defendants
¶525	107	4-10	Defendants
¶526	107	13-20	Defendants
¶530	108	9-25	Defendants
¶531	109	3	Defendants
¶532	109	13-14, 16-17	Defendants
¶533	109	109:28-110:2	Defendants
¶534	110	7-9	Defendants
¶535	110	12-15	Defendants
¶539	111	9-10	Sony
¶541	111	22-23	Nvidia
¶542	111	25-28	Nvidia
¶543	112	4-14	Defendants
¶545	112	112:26-113:3	Defendants
¶546	113	4-13	Defendants
¶549	114	1-4	Defendants
¶553	114	16-17	Sony
¶557	115	10-13, 14-16	Defendants
¶558	115	17-18	Defendants
¶560	115	23-26	Defendants
¶565	116	21-25	Defendants
¶566	116	116:26-117:2	Defendants
¶568	117	14-15	Defendants
¶569	117	21-23	Defendants
¶570	117	25-26	Defendants

Paragraph	Beginning Page	Line(s)	Party
¶570	117	117:28-118:3	Defendants
¶572	118	13-14	Defendants
¶573	118	18-20	Defendants
¶574	118	22-26	Defendants
¶575	118	118:27-119:2	Defendants
¶577	119	8-10	Defendants
¶578	119	11-18	Defendants
¶579	119	22-23	Defendants
¶579	119	119:27-120:2	Defendants
¶582	120	11-13, 15-16, 17-18	Defendants
¶583	120	23-28	Defendants
¶588	122	5-10, 11-14	Defendants
¶592	123	4-7	Defendants
¶592	123	13-14	Defendants
¶593	123	16-22, 24-26	Defendants
¶595	124	11-14	Defendants
¶596	124	18-20	Defendants
¶597	124	24-27	Defendants
¶599	125	5-6, 8-12, 16	Defendants Sony
¶605	126	17-25	Defendants
¶607	127	6-7, 10-12	Defendants
¶608	127	19-21	Defendants
¶609	127	127:25-128:2	Defendants
¶611	128	12-13	Defendants
¶612	128	16-20	Defendants
¶613	128	22-28	Defendants
¶615	129	8, 15-17	Sony
¶623	131	4-7	Defendants

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Paragraph	Beginning Page	Line(s)	Party
¶629	131	26-27	Defendants
¶630	132	1-5	Defendants
¶632	132	10-11, 16-18	Defendants
¶635	133	4	Defendants Sony
¶638	133	19-22	Defendants
¶642	134	15-20	Nvidia
¶643	134	134:21-135:2	Nvidia
¶644	135	3-6	Nvidia
¶645	135	8-11	Defendants
¶647	135	16-18	Defendants
¶648	135	20-23	Defendants
¶651	136	11-17	Defendants
¶652	136	19-25	Defendants
¶655	137	10-14	Defendants
¶656	137	17-19	Defendants
¶657	137	26-28	Nvidia
¶657	137	25	Defendants
¶658	138	5-6	Google
¶659	138	10-14	Sony
¶662	138	138:28-139:1	Sony
¶664	139	139:26-140:2	Nvidia
¶668	140	18-20	Sony
¶669	140	23-24	Sony
¶670	140	140:26-141:2	Sony
¶672	141	8-10	Sony
¶674	141	17-20	Sony
¶677	142	1-2	Defendants Nvidia

Paragraph	Beginning Page	Line(s)	Party
¶678	142	4-7	Nvidia
¶682	142	142:24-143:1	Defendants Sony Valve
¶689	143	143:26-144:6	Defendants
¶692	144	22-24	Amazon
¶693	144	26	Defendants
¶694	145	1	Defendants
¶695	145	4-5	Nvidia
¶697	145	13-14	Defendants
¶698	145	15-16	Defendants
¶699	145	17-19	Defendants
¶705	146	22-25	Nintendo
¶706	146	146:27-147:1	Nintendo
¶707	147	3-5	Defendants
¶708	147	9-10	Nintendo
¶710	147	16-19	Defendants
¶711	147	147:22-148:2	Defendants
¶726	150	4-9	Defendants
¶730	150	25-26	Defendants
¶730	150	150:27-151:2	Defendants
¶734	151	15-17, 17-19	Defendants
¶736	151	151:28-152:1	Defendants
¶747	154	3-4	Nvidia
¶756	155	7-9	Nintendo
¶756	155	7	Defendants
¶757	155	11-13	Defendants
¶758	155	14-17	Defendants Nintendo

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Paragraph	Beginning Page	Line(s)	Party
¶759	155	18-20	Nintendo
¶760	155	22	Defendants Nintendo
¶761	155	24-25	Defendants
¶761	155	155:25-156:2	Defendants Nintendo
¶764	156	11-14	Nintendo
¶765	156	16-17	Defendants
¶766	156	19-20	Defendants
¶767	156	26-27	Defendants
¶768	157	1-4	Defendants
¶769	157	5-6	Defendants
¶770	157	8-9	Defendants
¶771	157	11-12	Nvidia
¶772	157	14-15	Defendants
¶773	157	17-18	Defendants
¶776	157	24-26	Defendants
¶777	158	1-2	Defendants
¶778	158	4	Defendants
¶779	158	6-8	Defendants
¶780	158	10-12	Defendants
¶781	158	13-14	Defendants
¶783	158	19-20	Defendants
¶784	158	23-25	Defendants
¶785	159	1-2	Defendants
¶786	159	4-6	Defendants
¶788	159	18-19	Defendants Sony
¶788	159	16-17	Sony

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Paragraph	Beginning Page	Line(s)	Party
¶789	159	159:21-160:2	Sony
¶789	159	21-22, 23-26, 159:27-160:2	Defendants Sony
¶790	160	3-9	Sony
¶790	160	3-6, 7-8	Defendants Sony
¶791	160	10-11	Sony
¶792	160	12-14	Sony
¶793	160	16-18	Defendants Sony
¶793	160	15-16	Sony
¶795	160	23-24	Sony
¶798	161	5-9	Defendants
¶799	161	14-15, 16-17, 18-21, 21-22, 23-25	Nvidia
¶799	161	13-14	Defendants Nvidia

Having considered the FTC’s Administrative Motion and any responsive statement or declaration filed by Microsoft Corp. and Activision Blizzard, Inc. (collectively “Defendants”) and the following third parties: Amazon.com, Inc. (hereinafter “Amazon”), Alphabet Inc.

(“Google”), Nintendo Co., Ltd. (“Nintendo”), Nvidia Corporation (“Nvidia”), Sony Interactive Entertainment LLC, and Valve Corporation (“Valve”). pursuant to Civil Local Rule 79-5(f)(3);

IT IS HEREBY ORDERED that the Administrative Motion is:

[] GRANTED IN ITS ENTIRETY. The unredacted version of Plaintiff’s Federal Trade Commission’s Final Proposed Findings of Fact and Conclusions of Law shall remain under seal.

1 [] DENIED IN ITS ENTIRETY. Plaintiff FTC shall file a complete unredacted version
2 of Plaintiff's Federal Trade Commission's Final Proposed Findings of Fact and Conclusions of
3 Law.

4 [] GRANTED/DENIED IN PART. Plaintiff FTC shall file a revised redacted version of
5 its Final Proposed Findings of Fact and Conclusions of Law, with redactions only at the
6 following specified locations:

7
8
9
10 Dated: _____, 2023

Honorable Jacqueline Scott Corley
United States District Judge
Northern District of California